



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/815,891	03/23/2001	Michael Wengrovitz	41254/JEC/X2	7884

35114 7590 05/13/2005

ALCATEL INTERNETWORKING, INC.
ALCATEL-INTELLECTUAL PROPERTY DEPARTMENT
3400 W. PLANO PARKWAY, MS LEGL2
PLANO, TX 75075

EXAMINER

GARG, YOGESH C

ART UNIT	PAPER NUMBER
----------	--------------

3625

DATE MAILED: 05/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/815,891

Applicant(s)

WENGROVITZ ET AL.

Examiner

Yogesh C Garg

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 22-29 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-12 & 22-29 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment received on 3/3/2005 is acknowledged and entered. The applicant has amended claims 1-3. Currently claims 1-12 and 22-29 are pending for examination.
2. Applicant also submitted another amendment subsequently on 3/28/2005 bearing the same application reference serial no: 09/815891 but different docket # 134002 and also the claimed subject matter different from the instant application 09/815891. Therefore, this amendment will be filed and would neither be entered nor any action will be taken.

Response to Arguments

3. Applicant's arguments (see Remarks, page 6-7) filed on 3/3/2005 with respect to amended claims 1-3 and originally presented claims 4-12 and 22-29 have been fully considered but they are not persuasive. The applicant argues that in the cited reference Schlossman the cost information and the charge information are generated at each of the client networks, i.e. the local PCs. The examiner respectfully disagrees because Schlossman also teaches (see at least col.8, lines 24-30) an alternative embodiment stating that the local PC and the configuration server can be contained in single stand alone PC, that is a configuration server which would generate based upon the call parameter information generated from PBX , which correspond to client network.

In view of the foregoing, the rejection is sustainable as being anticipated by the

same prior art, i.e. Schlossman. This is a Final rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-12 and 22-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Schlossman et al. (US Patent 6,320,944), hereinafter referred to as Schlossman.

Regarding claim 1, Schlossman discloses a method for providing property management services, comprising:

generating call parameter information in a client network(see at least col.1, lines 25-45, “ *CDR messages output from PBX output port.....*”. Note: The CDRs’ generated include call parameters, such as the identifying the telephone calls, their origin, their destination, their time duration, etc.);

generating call cost information as a function of the call parameter information in a service provider network and generating charge information for an account as a function of the call cost information in the service provider network (see at least col.3, line 50-col.4, line 7, “ *A rate table database contains rate tables for different telephone*

parameters..." and col.4, lines 26-28, " ... *Processor 15 uses the CDR and location data 23 to identify the correct PBX interface file and rate table 25 for transmitting back to processor 18....*". Note: The generation of message including the correct rate table 25 at processor 15, which is part of the configuration server 14, see Fig. 2 corresponds to generating call cost information as a function of the call parameter [CDR] information; and see at least col.4, lines 9-20, " *The accounting program is used by processor 19 to generate telephone accounting reports and the rate table is used by accounting program for cost analysis....*", Note: generation of cost report based upon CDR's and rate table received from configuration server corresponds to the recited limitation. Schlossman also teaches [see at least col.8, lines 24-30] an alternative embodiment stating that the local PC and the configuration server can be contained in single stand alone PC, that is a configuration server which would generate based upon the call parameter information generated from PBX interface, which correspond to client network.);

Regarding claims 2-3, Schlossman teaches that the call parameter information generated in the client network [PBX interface] is transmitted to the service provider network and at least one of the call cost information and the charge information generated in the service provider network is transmitted to the client network (see at least col.4, lines 20-27, wherein the CDR messages are transmitted from client network [PBX interface] to processor 15 [provider server network 14] and the messages generated on the provider server network 14 including relevant rate tables are transmitted to client network [PBX interface]. It is already analyzed above that in an

Art Unit: 3625

alternative embodiment stating that the local PC and the configuration server can be contained in single stand alone PC, that is a configuration server which would generate based upon the call parameter information generated from PBX interface, which correspond to client network and therefore these information are transmitted to the PBX interface).

Regarding claim 4, all the limitations are already covered in claims 1-3 and is there fore analyzed and rejected on the same basis. As regards client and service provider networks, please refer to PBX interface and server 14 network respectively.

Regarding claims 5-12, Schlossman discloses transmitting call parameters via either serial links or modems via networks, which could be WAN/Internet between configuration server 14 and the PBX interface (see at least, col.1, lines 15-24, " *PC is connected directly into the RS-232 receptacle...or through an inline intermediate storage device, or via a dial-up modem...* ", col.3, lines 31-35, " *The transmission of rate tables and configuration data between the configuration server and the host PC can be conducted by means other than an analog modem....transmitted over a digital network* ", col.4, lines 29-38, " *Local PC20A is connected through RS-232 port 24 [Fig.2] to the PBX 22A....* ". Note: The server[service provider network] comprises a PC work Station with special hardware, see col.3, lines 10-21 and is expected also to include a RS-232 port just like PC 20A. RS-232 ports provide serial links and digital network would include Internet and WAN).

Regarding claims 22-27, their limitations are closely parallel to the limitations already covered in claims 1-12, and are therefore considered to be analyzed and rejected on the same basis.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlossman and further in view of Simonen (US 2002/0128966)

Regarding claims 28-29, Schlossman teaches a method and system including a client network and a service provider network for managing telephone call services and facilitating to calculate the call charges for an account. Schlossman further discloses initializing a call accounting system to generate reports about CDRs' (see col.1, lines 10-14, "*This invention relates generally to a Private Branch Exchange (PBX) and more particularly to an intelligent configuration server that automatically initializes a call accounting system which generates reports from PBX call detail record output data.* ") to provide details about the accounts who are using call services and for that reason it would be obvious that such accounts would be activated to let them use the service and when those accounts are not using the service to deactivate them. Schlossman does not explicitly disclose activating and deactivating the account because it would have been obvious to one of an ordinary

Art Unit: 3625

skill in the art. However, in the same filed of endeavor, Simonen teaches activating and deactivating of an account (see at least page 3, paragraph 0030, "... *In a preferred embodiment of the invention, the system comprises means for the activation of automatic transmission of advice-of-charge data for all calls by the billing center, separately for each telecommunication terminal or for each call via activation by the subscriber. These means are implemented in a manner known to the skilled person, e.g. using electronics and software.*" And paragraphs 0042, "... *When the mobile subscriber closes a connection the mobile station DTE receives as a last advice-of-charge data update the price for the connection as calculated by the billing center. Thus, the mobile subscriber definitely knows how much he/she will be charged for the call just finished.*". Note: It would be inherent in the system to deactivate the account when the call is disconnected because at that time the account which was using the services stops to use the services.). Therefore, in view of Simonen, it would have been obvious to one of an ordinary skill in the art at the time of the applicant's invention to have modified Schlossman to incorporate the features of Simonen to activate and deactivate an account because that would enable the system to definitely know how much the account should be charged for the call that the account has just finished, as explicitly demonstrated in Simonen.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the


Art Unit: 3625

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C Garg whose telephone number is 571-272-6756. The examiner can normally be reached on M-F(8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 571-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Yogesh C Garg
Primary Examiner
Art Unit 3625

YCG
May 12, 2005